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Attorney(s) for the Defendants County of Marin,
Sheriff Robert T. Doyle, Deputy Rachel Hammer

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LYNNETTE FRARY, Individually and as
Administrator of the Estate of Anthony Brandon
Carmignani, Deceased, JAMIE BALL, as Natural
Guardian of Amaya Carmignani, a minor, and
HEATHER HOWARD,
Plaintiff,

Case No.: CV-12-3928 MEJ

**STIPULATION AND ORDER RE
AMENDMENT TO FIRST AMENDED
COMPLAINT**

COUNTY OF MARIN; CITY OF NOVATO;
SHERIFF ROBERT T. DOYLE, CHIEF JOSEPH
KREINS, DEPUTY RACHEL HAMMER,
OFFICER THOMAS MACKENZIE, OFFICER
MICHAEL DUNN, OFFICER STEPHANIE
COMMISTO, and DOES 1 to 50, inclusive,
Defendants.

STIPULATION

IT IS HEREBY STIPULATED, by and between the parties hereto, by and between their attorneys of record, as follows:

WHEREAS, plaintiffs inadvertently and unintentionally included DEPUTY RACHEL HAMMER as a defendant in Count Six of the First Amended Complaint (Survival Damages Based on Negligence),

IT IS HEREBY STIPULATED as follows: The First Amended Complaint may and should be amended to delete the reference to defendant DEPUTY RACHEL HAMMER in Count Six. The allegations of the First Amended Complaint may and should otherwise remain as filed on January

1 17, 2013. Defendants' pleadings or other response to the First Amended Complaint may and should
2 remain due on the dates previously stipulated by the parties; this Stipulation and Order should not
3 alter or affect those deadlines.

4 Dated: February 6, 2013

STEVEN M. WOODSIDE,
INTERIM COUNTY COUNSEL

9 Dated: February 6, 2013

6 By: /s/ _____
7 Steven M. Perl, Deputy
8 Attorneys for County Defendants

BRENT, FIOL & NOLAN, LLP

13 Dated: February 6, 2013

10 By: /s/ _____
11 David L. Fiol
12 Attorneys for Plaintiffs Lynette Frary and Jamie
Ball

BONNER & BONNER

17 Dated: February 6, 2013

14 By: /s/ _____
15 A. Cabral Bonner
16 Attorneys for Plaintiff Heather Howard

BERTRAND, FOX & ELLIOT

19 Dated: February 6, 2013

20 By: /s/ _____
21 Thomas F. Bertrand
Richard W. Osman
Attorneys for Novato Defendants

ORDER

23 IT IS SO ORDERED. The reference to defendant DEPUTY RACHEL HAMMER in Count
24 Six of the First Amended Complaint is hereby deemed deleted. All other allegations of the First
25 Amended Complaint shall remain as filed on January 17, 2013. This Order shall not affect or alter
26 any deadlines in place for the filing of any defendant's pleading or other response to the First
Amended Complaint.

28 Dated: February 8, 2013

